

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT BRUNING and SHARON  
BRUNING, a married couple,

Plaintiffs,

vs.

CITY OF OMAHA, NEBRASKA,

Defendant.

8:18CV287

**ORDER TO SHOW CAUSE**

Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m).

Plaintiffs filed the Complaint on June 22, 2018. (Filing No. 1). More than 90 days has elapsed since the Complaint was filed. To date, Plaintiff has not requested summons nor filed any return of service indicating service on the defendant, and the defendant has not entered a voluntary appearance. Accordingly,

**IT IS ORDERED** that Plaintiff shall have until **October 5, 2018**, to show cause why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 4(m) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this action without further notice.

Dated this 21<sup>st</sup> day of September, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge